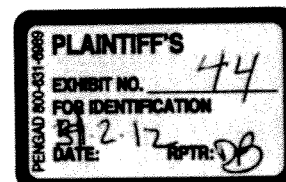


Unknown



From: LaPerch, Bill
Sent: Thursday, May 19, 2011 10:49 AM
To: Jendras, Doug
Subject: Fw: Update from Scott W

Please get involved right away. I have received emails from customers

Connected by DROID on Verizon Wireless

-----Original message-----

From: "Thomas, Gina" <GThomas@above.net>
To: "LaPerch, Bill" <blaperch@above.net>
Sent: Thu, May 19, 2011 14:02:18 GMT+00:00
Subject: Update from Scott W

He and Tom have been working with BofA all night. The problem is still not fixed. They got kicked out this morning and will go back at 8:00pm tonight to resolve. They couldn't find the splice enclosure. It's near where we splice with ATT so it may be an ATT issue but he's not sure yet. There are access issues.

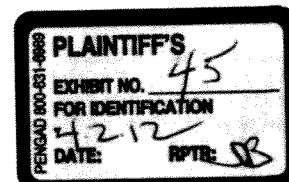
Gina Thomas

Executive Assistant to
Bill LaPerch, CEO

AboveNet, Inc. | 360 Hamilton Ave, 7th Floor | White Plains, NY 10601 | 914-421-6766 (O) | 914-421-7550 (F) |
gthomas@above.net

P000088

7/14/2011



Unknown

From: LaPerch, Bill
 Sent: Thursday, May 19, 2011 9:42 PM
 To: Jendras, Doug
 Subject: Re: ** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110519-84 | 05/19/2011 04:35 PM (UTC -4)
 Ok, let me know who you speak to

Bill LaPerch
 Sent from my iPad

On May 19, 2011, at 5:25 PM, "Jendras, Doug" <doug@above.net> wrote:

Answers below.

Douglas M Jendras
 Senior Vice President of Operations
 AboveNet Communications
 (914) 683-6855

From: LaPerch, Bill
 Sent: Thursday, May 19, 2011 4:47 PM
 To: Jendras, Doug
 Cc: Datta, Rajiv
 Subject: FW: ** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110519-84 | 05/19/2011 04:35 PM (UTC -4)

- 1) Who from AboveNet is on site?
 Mario Santo is on site. Rich and Mike Schatzberg have been on the phone all day. Tim Hatchell is on jury duty so Mike is performing double duty today.
- 2) Why is it taking so long to splice back up 5-7 customers? The fiber was out of the ground 4 hours ago.
 The cable was pulled out of the splice case and about 14 fibers broke where the cable enters the case. This SEP is packed and unwinding the damage has been complex and carefully done. We have spliced up the broken fibers with the exception of UBS, DB and Rabo (who are up on protect). We are still trying. If we can't fix the 3 remaining and since there is no slack, we have to find a new path. The NY-18 is packed and alt-routes have been difficult to find. Kevin is still searching.
- 3) I would like you to please call Alliance Bernstein and update them on this. We spent a long time digging out of a hole with them on performance. I don't want us to get back in that hole. Alliance Bernstein is up. I will call them.

Bill LaPerch
 CEO AboveNet, Inc.

AboveNet, Inc. is a Network Service Provider. Our services are provided by a third party. We are not responsible for any service interruptions or delays caused by our third party providers.

From: Network Mgmt
 Sent: Thursday, May 19, 2011 4:36 PM
 To: @AboveNet NMC Outage Notify
 Subject: ** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110519-84 | 05/19/2011 04:35 PM (UTC -4)

All,

The restoration is still in progress. The following customer spans are down and are being restored at this time:

0017-W018	UBS AG
20890-W001	ALLIANCE BERNSTEIN (20890)
0023-W009	DEUTSCHE BANK
0226-W004	RABO BANK

P000089

7/14/2011

Regards,

Chris Lucks

AboveNet NMC
888-636-2778

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110519-84 | 05/19/2011 12:38 PM (UTC -4)

All,

The affected splice case has been removed and placed on a table in street due to slack restrictions. Field OPS have advised that buffer tubes are bent and multiple fibers are broken. The contractor is currently working to identify the affected fibers for repair.

There is still no ETR at this time.

Regards,

Chris Lucks

AboveNet NMC
888-636-2778

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110519-84 | 05/19/2011 09:54AM (UTC -4)

All,

Optical Ops has advised that fiber splicing crews will arrive on site in about 30 minutes. Once crew arrive onsite they will assess the damages to the NY-18 cable at that time.

Regards,

Justin Baltimore

AboveNet NMC
888 636 2778

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110519-84 | 05/19/2011 08:05 AM (UTC -4)

All,

Field Technician located a severe bend on the fiber during testing. According to Smallworld this places issue on the NY-18 cable on Lexington Avenue. New York operations has a crew heading to the location for investigation, there is no ETA.

The following customers are confirmed down:

- Cogent
- JP Morgan Chase
- URS

P000090

- Paine Webber
- Black Rock
- NBA
- Rabo Bank (loss of protection only)

Regards,

Tom Parker

AboveNet NMC
888-636-2778

** INITIAL FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110519-84 | 05/19/2011 06:38 AM (UTC -4)

All,

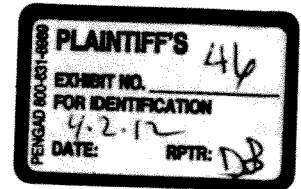
The NMC is working with New York Operations to investigate a fiber outage. Some services went down and restored while others are currently still down at this time. A complete list is being prepared and a technician has arrived at 111 8th Avenue to test fibers for distance confirmation.

A list of services and their status will be provided shortly.

Regards,

Tom Parker

AboveNet NMC
888-636-2778



Unknown

From: Jendras, Doug
Sent: Monday, May 23, 2011 8:47 AM
To: LaPerch, Bill
Cc: Datta, Rajiv; Ciavarella, Joe; Young, Bill; Jendras, Doug
Subject: RE: Quarterly Capital Meeting

In fairness to the Ops team members trying to meet the install target for the month, the level of effort to research, summarize and analyze these 75 projects will take longer than 2 weeks.

Construction variances are always due to the average of averages assumptions in the model versus the reality of the situation whether positive or negative. Equipment budget is always created using standard costs or a BOM so there should be no surprise that those funds may not be used. Those budgets are never based on a search of the internal inventory that Ops tries to utilize first before spending.

I will attempt to provide explanations as close to 6/3 as possible.

Douglas M Jendras
Senior Vice President of Operations
AboveNet Communications
(914) 683-6855

From: LaPerch, Bill
Sent: Saturday, May 21, 2011 4:29 PM
To: Jendras, Doug
Cc: Datta, Rajiv; LaPerch, Bill; Ciavarella, Joe
Subject: FW: Quarterly Capital Meeting

Doug,

I have highlighted the job I would like some explanation on the variance on in the completed job report detail tab. If the highlight is yellow then I need a construction variance explanation. If the highlight is red I need an equipment variance explanation. It appears there may be something not right about the equipment capex as there are numerous jobs where equipment capex is budgeted but not used.

With the velocity of our business lately I am anxious to insure that capex numbers I am looking at are vetted for accuracy. I am equally interested in understanding the reasons for over and under spending in the field.

Please work with Joe's team for any additional financial info you may need. Please have this done by June 3rd.

Bill LaPerch
 CEO AboveNet, Inc.

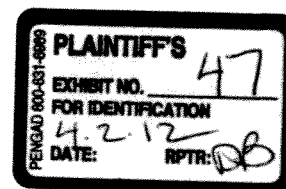
P000094

From: Carr, Zachary
Sent: Thursday, May 19, 2011 3:07 PM
To: LaPerch, Bill; Jacquay, John; Datta, Rajiv; Jendras, Doug; Ciavarella, Joe
Cc: Garte, Jeffrey
Subject: Quarterly Capital Meeting

All,

Attached is the quarterly capital expense file that will be discussed today.

Thanks,
Zach



Unknown

From: LaPerch, Bill
 Sent: Friday, June 10, 2011 8:35 PM
 To: Jendras, Doug
 Subject: Fwd: ** FINAL FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/10/2011 08:25 PM (UTC -4)
 I would like to know of any customer issues or dissatisfaction with our performance here

Bill LaPerch
 Sent from my iPad

Begin forwarded message:

From: "Network-Mgmt" <Network-Mgmt@above.net>
 Date: June 10, 2011 8:26:05 PM EDT
 To: "@AboveNet NMC Outage Notify" <AboveNetNMCOutageNotify@above.net>
 Subject: ** FINAL FLASH ** | CA+ | FIBER FAULT | IN NEW YORK |
 TICKET NUMBER: 20110609-243 | 06/10/2011 08:25 PM (UTC -4)

All,

At this time all customers have been notified and confirmed their services are restored.

Total outage time: 26hrs 10min

Regards,

Shant Vartanian

AboveNet NMC
 888-636-2778

 ** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER:
 20110609-243 | 06/10/2011 07:24 PM (UTC -4)

All;

NY Operations reports that all splicing has been completed at this time. The NMC is in the process of contacting all customers to verify that their services have been restored. Splice crew will standby until NMC informs them that all customers are back up. Additional updates will be made as they become available.

Regards,

Mark Winski

AboveNet NMC
 888-636-2778

 ** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER:
 20110609-243 | 06/10/2011 06:17 PM (UTC -4)

All,

NY Operations reports that they expect to complete splicing by 21:00 EDT (THIS IS AN ESTIMATE). They also stated that for the customers that we rerouted last night/early this morning, we will leave them where they are until we can schedule a permanent repair, this will be done at a later date by change management.

Rachel Falyar

AboveNet NMC
888-636-2778

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/10/2011 06:08 PM (UTC -4)

All,

NY Operations reports that he crews have begun splicing, at this time, Ribbon 5 has been completed. Optical has confirmed that JP Morgan Chase managed(W107) service has been restored.

Rachel Falyar

AboveNet NMC
888-636-2778

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/10/2011 06:04 PM (UTC -4)

All,

NY Operations reports that the splice contractors are almost done prepping the cable for splicing, they believe that they will begin splicing around 18:00 EDT.

More updates to follow - There is still no ETR at this time

Rachel Falyar

AboveNet NMC
888-636-2778

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/10/2011 03:27 PM (UTC -4)

All,

NY Operations reports that both north and south sides of the cable are pulled back and are being pulled through the new conduit, once this is done they will cover the conduit with asphalt for protection because the new conduit is running through a supermarket's driveway. Once the cable is pulled through, the crew will begin prepping the cable for splicing. They expect splicing to begin around 17:30 EDT (this is a guesstimate).

More updates to follow - There is still no ETR at this time

Rachel Falyar

AboveNet NMC
888-636-2778

P000097

7/14/2011

 ** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/10/2011 02:00 PM (UTC -4)

All,

NY Operations reports that the cable on the south side is pulled back and is being prepped into a new SEP and the crew is in the process of laying 800 feet of steel pipe in the ground.

More updates to follow - There is still no ETR at this time.

Rachel Falyar

AboveNet NMC
 888-636-2778

 ** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/10/2011 01:32 PM (UTC -4)

All,

NY Operations reports that the cable on the north side is pulled back and is being prepped into a new SEP. The crew is still trying to pull the cable back from the south side. They have the 2 inch steep pipe and the asphalt truck on site.

There is still no ETR at this time

Rachel Falyar

AboveNet NMC
 888-636-2778

 ** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/10/2011 12:27 PM (UTC -4)

All,

Mike Schatzberg reports that his crew is working on placing a new section of cable to bypass the damaged manhole via two new splice enclosures. Once the new cable has been spliced, they will cover it with 2 inches of asphalt to protect it. There is NO ETR at this time.

**** THIS WILL BE A TEMPORARY REPAIR - WE WILL SCHEDULE A PERMANENT CABLE REPAIR AT A LATER DATE. CHANGE-MGMT WILL NOTIFY ALL THE CUSTOMERS WHEN A MAINTENANCE WINDOW HAS BEEN SCHEDULED ****

Regards,

Chris Lucks

AboveNet NMC
 888-636-2778

 ** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/10/2011 07:25 AM (UTC -4)

All—

NY Ops has reported that they are still waiting on the power company to gain access into the manhole. NY Ops will be calling the power

company at Barn ET for an update. There are crews on site and a new cable has been on site since last night. Once access is granted, NY Ops will investigate whether they can repair the cable or if they have to run the new cable.

All customers that were down that were able to be re-routed have been

Regards,

Jonny Fournier

AboveNet NMC
888-636-2778

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/10/2011 12:10 AM (UTC -4)

All,

AboveNet has a cable that has been damaged in Northern NJ by an underground electric utility fire. The electric utility has informed AboveNet that based on the extent of the damage and life safety concerns, they don't expect to grant access for restoration until late morning or early afternoon on Friday. Once AboveNet is granted access, it will take several hours to complete restoration. The next update from the electric utility is expected at approximately 7 AM EDT

Alternate route opportunities are still being examined. While there do not appear to be many at this time, AboveNet will contact our customers if an alternate route for their service is available.

Regards,

Roger Patterson

AboveNet NMC
888-636-2778

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/09/2011 10:36 PM (UTC -4)

All,

NY Operation has confirmed that there was a manhole fire. The power company has an environmental crew cleaning the manhole before anyone will be allowed to access the manhole. More updates will follow as soon as they come in

Please note that the following customer is also down.

Standard Charter Bank circuit ID W01556 00

Best regards,

Justin Baltimore

AboveNet NMC
888-636-2778

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/09/2011 09:36 PM (UTC -4)

All,

NY Operation has advised the restoration cable have arrived onsite. The power company has arrived onsite and are opening the manhole at this time. More updates will follow as soon as they come in

Best regards,

P000099

7/14/2011

Justin Baltimore

AboveNet NMC
888-636-2778

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/09/2011 08:17 PM (UTC -4)

All,

NY Operation has advised that the Project Manager and Field Engineer are on site, they are currently inspecting the area trying to pinpoint the fault. The new reel of cable, and the splice contractors are expected to be on site in approximately 30-45 minutes.

More updates will follow as soon as they come in.

Below are the most recent affected customer list:

Chase

W01521-00

Deutsche Bank WDM9 Service Down

W01583-00

Deutsche Bank NY WDM 1 - Loss of Protection for all services

W01663-00

W01664-00

W01665-00

W00765-00

W01068-00

W00766-00

W00526-00

W02037-00

W00526-00

GIGEUNJ34CUNJ2GD0001P

GIGEUNJ34CUNJ2GD0002P

GIGEUNJ34CUNJ2GD0003P

GIGEUNJ34CUNJ2GD0004P

GIGEUNJ34CUNJ2GD0005P

GIGEUNJ34CUNJ2GD0006P

GIGEUNJ34CUNJ2GD00010P

GIGEUNJ34CUNJ2GD00011P

GIGEUNJ34CUNJ2GD00012P

GIGEUNJ34CUNJ2GD00013P

GIGEUNJ34CUNJ2GD00014P

GIGEUNJ34CUNJ2GD00015P

P000100

7/14/2011

GIGEUNJ34CUNJ2GD00016P

10GIGEUNJ34CUNJ2GD0001P

10GIGEUNJ34CUNJ2GD0002P

FICHUNJ34CUNJ2GD0001P

FICHUNJ34CUNJ2GD0002P

FICHUNJ34CUNJ2GD0003P

FICHUNJ34CUNJ2GD0004P

FICHUNJ34CUNJ2GD0005P

FICHUNJ34CUNJ2GD0006P

10GIGEUNJ34CUNY6WA0001P

10GIGEUNJ2GDUNY6WA0001P

GIGEUNJ2GDUNY6WA0001P

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GIGEUNJ2GDUNY6WA0003P

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GIGEUNJ2GDUNY6WA0005P

GIGEUNJ34CUNY6WA0001P

FICHUNJ34CUNJ2GD0007P

FICHUNJ34CUNJ2GD0008P

FICHUNJ34CUNJ2GD0009P

DRW Holdings Service Down

(IP service)

Global Crossing Service Down

(IP service)

FTEN Service Down

(IP service)

Savvis Service Down

(IP service)

Standard Charter Bank Service Down

W01570-00

Sprint Service Down

9531-5102

Best regards,

AboveNet NMC
888-636-2778

P000101

7/14/2011

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/09/2011 07:23 PM (UTC -4)

All,

NY Operations has advised that it's working on mobilizing the splice crew; at this time there is no ETA. The NMC has notified the customers via email of the latest update.

If you have any questions, or concerns please contact the AboveNet NMC.

Best regards,

Duc Truong

AboveNet NMC
888-636-2778

** UPDATE FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/09/2011 06:17 PM (UTC -4)

All,

Optical Ops has confirmed the following services have been affected by the possible fiber cut in the New York Market. At this time we have a Field Engineer on-site at SW Rte 10 & Old Rd Livingston, NJ (NJ-H06).

Sprint Service Down

9531-5102

DRW Holdings Service Down

(IP service)

Global Crossing Service Down

(IP service)

Savvis Service Down

(IP service)

FTEN Service Down

(IP service)

Standard Charter Bank Service Down

W01570-00

Deutsche Bank WDM9 Service Down

W01583-00

P000102

Deutsche Bank NY WDM 1 – Loss of Protection for all services

W01663-00

W01664-00

W01665-00

W00765-00

W01068-00

W00766-00

W00526-00

W02037-00

W00526-00

GIGFUND34CUNJ2GD0001P

GIGFUND34CUNJ2GD0002P

GIGFUND34CUNJ2GD0003P

GIGFUND34CUNJ2GD0004P

GIGFUND34CUNJ2GD0005P

GIGFUND34CUNJ2GD0006P

GIGFUND34CUNJ2GD00010P

GIGFUND34CUNJ2GD00011P

GIGFUND34CUNJ2GD00012P

GIGFUND34CUNJ2GD00013P

GIGFUND34CUNJ2GD00014P

GIGFUND34CUNJ2GD00015P

GIGFUND34CUNJ2GD00016P

10GIGFUND34CUNJ2GD0001P

10GIGFUND34CUNJ2GD0002P

FICHUND34CUNJ2GD0001P

FICHUND34CUNJ2GD0002P

FICHUND34CUNJ2GD0003P

FICHUND34CUNJ2GD0004P

FICHUND34CUNJ2GD0005P

FICHUND34CUNJ2GD0006P

10GIGFUND34CUNY6WA0001P

10GIGFUND2GDUNY6WA0001P

GIGFUND2GDUNY6WA0001P

GIGFUND2GDUNY6WA0002P

GIGEUNJ2GDUNY6WA0003P
GIGEUNJ2GDUNY6WA0004P
GIGEUNJ2GDUNY6WA0005P
GIGEUNJ34CUNY6WA0001P
FICHUNJ34CUNJ2GD0007P
FICHUNJ34CUNJ2GD0008P
FICHUNJ34CUNJ2GD0009P

Regards,

Shant Vartanian

AboveNet NMC
888-636-2778

** INITIAL FLASH ** | CA+ | FIBER FAULT | IN NEW YORK | TICKET NUMBER: 20110609-243 | 06/09/2011 05:32 PM (UTC -4)

All,

The NMC is currently investigating a possible fiber cut in the New York Market. At this time the following is a list of affected customers.

Deutsche Bank DWDM1 (optical service)

Standard Charter Bank (optical service)

Sprint (dark fiber service)

DRW Holdings (IP service)

Global Crossing (IP service)

Savvis (IP service)

FTEN (IP service)

The NMC is tracking this event under ticket 20110609 243

More updates will be provided as they become available.

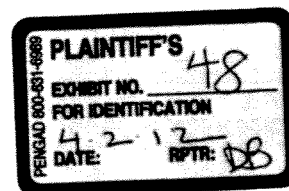
Regards,

Shant Vartanian

AboveNet NMC
888-636-2778

7/14/2011

P000104

**Unknown**

From: LaPerch, Bill
Sent: Sunday, June 12, 2011 3:53 PM
To: Jendras, Doug
Subject: Fwd: ** INITIAL FLASH ** | CA+ | SEP FAULT | IN CHICAGO | TICKET NUMBER: 20110612-195 | 06/12/2011 03:20 PM (UTC -4)

Is this work on our long haul or metro network. Is there a maint. that is Going on past it's scheduled time. There are many important customers on this route. Facebook in particular h

Bill LaPerch
 Sent from my iPad

Begin forwarded message:

From: "Network-Mgmt" <Network-Mgmt@above.net>
Date: June 12, 2011 3:34:09 PM EDT
To: "@Abovenet NMC Outage Notify" <AbovenetNMCOutageNotify@above.net>
Subject: ** INITIAL FLASH ** | CA+ | SEP FAULT | IN CHICAGO |
TICKET NUMBER: 20110612-195 | 06/12/2011 03:20 PM (UTC -4)

All,

As a big contract in front of them

Optical Ops advised that they monitored a brief signal degrade at 13:51vity ET on ABVT12 between Chicago, IL and Kansas City, MO. This degrade occurred while work was taking place in SEP 14178 - Oak Brook, IL ticket 20110612-205. The splice joint was opened to restore customers that are still down from last night's ABVT12 Maintenance (20110428-131). SEP 14178 is currently open and work is still ongoing.

The following customers were affected:

<u>ABOUT.COM</u>	W00110-00
ABOVENET IP	L192-9518-2012
ABOVENET IP	L192-9518-2027
ABOVENET IP	L192-9518-2028
ABOVENET IP	L192-9518-2043
ABOVENET IP	W01884-00

ABOVENET IP	W01886-00
ABOVENET IP	W01888-00
ABOVENET IP	W02141-00
ACTIV FINANCIAL SYSTEMS	W01027-00
AICENT	W01981-00
AICENT	W02311-00
AICENT INC.	W01256-00
ARBINET	W01492-00
ASSOCIATED PRESS	W00127-00
BECHTEL	W01623-00
BLACKBOARD	W01317-00
BOOZ ALLEN HAMILTON	W01870-00
CAPITAL FITNESS	W01925-00
COMSCORE	W01916-00
DEUTSCHE TELECOM	W02281-00
ESP	L192-20300-1001
ESPN	L192-20576-0006
FACEBOOK	W01319-00
FACEBOOK	W01862-00
FACEBOOK	W01863-00
FACEBOOK	W01864-00
FACEBOOK	W01865-00
GLOBAL VIEW SOFTWARE	W01094-00
HOSTED VENTURES CORP	LGIGE-20367-0001
IMS HEALTH	W02233-00

IP TRANSIT	L192-21067-0004
IP TRANSIT	W00458-00
IP TRANSIT	W01095-00
IP TRANSIT	W01168-00
LATISYS-IRVINE	W01297-00
LAYERED TECHNOLOGIES	W01469-00
LINDEN RESEARCH	W01221-00
LINKEDIN	W01540-00
LINKEDIN CORP.	LGIGE-20820-0001
MADISON TYLER	W00405-00
MEDIA XSTREAM	L192-20775-0002
MEDIA XSTREAM	L192-20775-0003
MORNINGSTAR	W01541-00
NAVISITE	W00459-00
NBC UNIVERSAL	W01345-99
NETWORK SOLUTIONS	W01431-00
NEUTRAL TANDEM	LGIGE-20452-0003
NOKIA	W01674-00
OPTIONSXPRESS	LGIGE-20543-0001
OPTIONSXPRESS	W02169-00
PCCW GLOBAL	W01103-00
PEER1	W01299-00
PEERLESS NETWORK	W02023-00
PEERLESS NETWORKS	W00147-00
QUANTLAB FINANCIAL	W01349-00

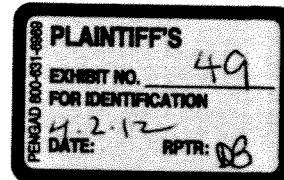
SLIDE INC	W00411-00
SUDDENLINK	L192-20518-0001
TELL ME NETWORKS	LGIGE-20041-0003
TELSTRA	W02239-00
THINK TECH INC	W00530-00
TRANSACTION NTWK SVCS	W00423-00
UNITRIN SERVICES	W01233-00
VALUECLICK	W01842-00
YAHOO	L192-9576-1002
YAHOO	L192-9576-1006

The NMC is currently tracking this issue under ticket 20110612-195. Please call the NMC if you should have any further questions.

Best regards,

Steve Ratliff

AboveNet NMC
888-636-2778



Unknown

From: Jendras, Doug
Sent: Friday, June 17, 2011 12:12 PM
To: LaPerch, Bill
Cc: Aldridge, Michael; Walthermtechtel, Scott; Delta, Rajiv
Subject: RE: ** UPDATE FLASH ** | CA+ | FIBER FAULT | BETWEEN NEW YORK AND LONDON | TICKET NUMBER: 20110616-299 | 06/17/2011 01:14 AM (UTC -4)
Global Crossing: This is a 10Gb circuit for TAT-14 diversity. Service is up on a temporary

Douglas M Jendras
Senior Vice President of Operations
AboveNet Communications
(914) 683-6855

From: LaPerch, Bill
Sent: Friday, June 17, 2011 11:57 AM
To: Jendras, Doug
Subject: FW: ** UPDATE FLASH ** | CA+ | FIBER FAULT | BETWEEN NEW YORK AND LONDON | TICKET NUMBER: 20110616-299 | 06/17/2011 01:14 AM (UTC -4)

Who is the 3rd party vendor?

Bill LaPerch

CEO AboveNet, Inc

AboveNet, Inc., 360 Madison Ave, 10th Floor, New York, NY 10017 | 212-664-1200 (F) | 212-664-1201 (T) | bill@abovenet.com

From: Network Mgmt
Sent: Friday, June 17, 2011 1:15 AM
To: @Abovenet NMC Outage Notify
Subject: ** UPDATE FLASH ** | CA+ | FIBER FAULT | BETWEEN NEW YORK AND LONDON | TICKET NUMBER: 20110616-299 | 06/17/2011 01:14 AM (UTC -4)

All

Optical Operations has advised that the third party fiber vendor have technicians at Hudson Street and 9th Avenue in New York. The fiber vendor are currently checking to see if there are spare fibers to route around the damaged section. The estimated time to restoral is still unknown at this time.

More updates will follow as soon as they are made available.

Best Regards,

Justin Baltimore
AboveNet NMC
888-600-1271

** UPDATE FLASH ** | CA+ | FIBER FAULT | BETWEEN NEW YORK AND LONDON | TICKET NUMBER: 20110616-299 | 06/16/2011 09:04 PM (UTC -4)

All,

Third Party restoration crew has arrived at the site of the damaged fiber. Currently they are evaluating the damage to determine whether to repair the damaged section or to splice around. The estimated time to restoral is still unknown at this time.

More updates will follow as soon as they are made available.

Best Regards,

Roger Patterson

AboveNet NMC
888-636-2778

7/14/2011

P000109

** UPDATE FLASH ** | CA+ | FIBER FAULT | BETWEEN NEW YORK AND LONDON | TICKET NUMBER: 20110616-299 | 06/16/2011 07:20 PM (UTC -4)

+++++

All,

Optical Operations has advised that the fiber provider has located the break 16 miles from their 9th Ave, New York NY location. They have dispatched their splice crew to the suspected fault location.

At this time, there is no ETR. More updates will follow as soon as they are made available.

Best regards,

Duc Truong

AboveNet NMC

888-636-2778

+++++

** INITIAL FLASH ** | CA+ | FIBER FAULT | BETWEEN NEW YORK AND LONDON | TICKET NUMBER: 20110616-299 | 06/16/2011 04:16 PM (UTC -4)

+++++

All,

The AboveNet NMC has detected a fault on 3rd party fiber between NY and London affecting ABVT21. Optical operations are currently working with the 3rd party provider on determining the cause of the outage.

The following circuits have been affected by this outage:

ABOVENET IP

L192-9518-0011

L192-9518-0012

MARKIT NA

W01276-0

ARROWGRASS CAPITAL

W01578-00

UBS AG

W01360-00

RABOBANK

W01363-00

WH TRADING

W01478-00

P000110

7/14/2011

WOOD GROUP MGMT

W01649-00

HUDSON FIBER NETWORK

W01652-00

GLOUCESTER RESEARCH

W01898-00

EXPONENTIAL E LIMITED

W01993-00

D.E. SHAW

W02259-00

K2 NETWORK

W02779-00

More updates to follow as they become available.

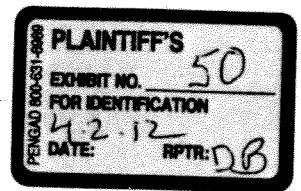
Regards,

Shant Vartanian

AboveNet NMC
888-636-2778

P000111

7/11/2011



Unknown

From: Young, Bill
Sent: Tuesday, May 03, 2011 9:30 AM
To: Jendras, Doug
Subject: RE:

Thanks Doug... much to do about nothing.

Bill

From: Jendras, Doug
Sent: Tuesday, May 03, 2011 9:28 AM
To: Rock, Jeff; Young, Bill
Subject: FW:

FYI

Douglas M Jendras
Senior Vice President of Operations
AboveNet Communications
(914) 683-6855

From: Jendras, Doug
Sent: Tuesday, May 03, 2011 9:28 AM
To: LaPerch, Bill
Cc: Sokota, Rob; Datta, Rajiv
Subject: RE:

Here is the impact of this new order.

- 1) Our roughly \$35K of annual fees will not be impacted (see attached for estimated breakdown in 2010. Fees will go up in NJ due to overbuilds)
- 2) The order only has jurisdiction in Maryland, Pennsylvania and Virginia where we operate. This covers roughly \$256 of cost. It does not directly impact pole rates and make ready processes in the 20 states that have certified pole attachment rates themselves of which the majority of our aerial business operates. (see attached for certified states)
- 3) The order has no jurisdiction over the power space so the PSE&G make ready issues will not be impacted.
- 4) We currently do not have any make ready process issues in Maryland, Pennsylvania or Virginia.

In summary, this new order has relatively no impact on AboveNet.

Douglas M Jendras

7/14/2011

P000084

Senior Vice President of Operations
AboveNet Communications
(914) 683-6855

From: LaPerch, Bill
Sent: Thursday, April 28, 2011 4:48 PM
To: Jendras, Doug
Cc: Sokota, Rob; Datta, Rajiv
Subject: FW:

Doug, please provide an in depth evaluation (working with Legal if necessary) to determine the impact of this new order on our business, especially in areas where access has been an issue. Would like to see it in a week.

Bill LaPerch
CEO AboveNet, Inc.

AboveNet, Inc. | 360 Hamilton Ave, 7th Floor | White Plains, NY 10601 | 914-993-1200 (O) | 914-421-7550 (F) | blaperch@abovenet.net

Pole attachment report and order and order on reconsideration

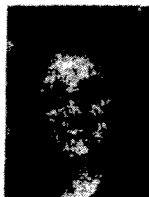
- Womble Carlyle Sandridge & Rice PLLC
- Mark Palchick and Rebecca Jacobs
- USA
-
- April 15 2011

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The Commission recently adopted a Report and Order and Order on Reconsideration modifying the pole attachment rules and creating new pole rate formulas.[1] The revisions are steps by the Commission to promote competition and increase the availability of telecommunications and advanced services. Highlights of the new rules include significantly limiting the time period available for completion of make-ready for attachments, allowing use of third party contractors when the pole owner does not process make-ready requests in a timely fashion, revising the enforcement process to require "executive-level" negotiations, and establishing lower rates that are more in line with current cable rates.

Timeline for Section 224 Access

The revised rules establish a timeline for Section 224 access. During Stage 1 of the timeline, the pole

owner has 45 days after receipt of a complete application within which to conduct an engineering study to determine feasibility of the attachment, placement of the attachment and the necessity of make-ready.[2] Then, during Stage 2, the pole owner has 14 days to provide an estimate of make-ready charges after receiving the results of the engineering study.[3] In Stage 3, the attacher has 14 days to approve the estimate and provide payment.[4] Finally, for Stage 4, upon receipt of payment from the attacher, the pole owner must notify, in writing, any existing attachers that make-ready for a new attacher needs to be performed within 60 days. The pole owner may take an extra 15 days to complete actual make-ready.[5] The access timeline applies to both wired and wireless attachments.[6] Utilities have an extra 30 days for wireless attachments.[7] Wireless attachers may file a complaint through the Commission's complaint procedures for unreasonable delay, if utilities fail to meet the timeline.[8] The revised rules require each utility to make available a "reasonably sufficient" list of contractors that it authorizes to perform surveys or make-ready work after missing a deadline.[9] If the utility fails to produce the list, the attacher may use a "same qualifications" standard to hire a contractor, meaning that a contractor must have the "same qualifications, in terms of training, as the utility's own workers." [10] Final decisions regarding disputes over "capacity, safety, reliability, and generally applicable engineering purposes" are left up to electric utilities, though not in the case of ILECs.[11]

Other Access Proposals

The Commission declined to adopt a schedule of charges for utilities or a staggered payment schedule for make-ready work. [12] It also declined to adopt requirements to collect information regarding the availability and location of poles, ducts, conduits and rights of way.[13]

Pole Attachment Dispute Resolution Procedures

The Commission revised Rule 1.1404(k) to require "executive-level discussions" prior to the filing of a formal complaint with the Commission. Such discussions should now involve "individuals who have sufficient authority to make binding decisions" on behalf of their company.[14] The Commission will consider during enforcement proceedings pole owners' and attachers' coordinated efforts from an early stage in the process to determine whether terms and conditions are "just and reasonable." [15]

Unauthorized Attachments

For new agreements or amendments, the Commission will view as "presumptively reasonable" contract-based penalties for unauthorized attachments so long as they do not exceed those penalties adopted by the Oregon PUC.[16] If an attacher makes unauthorized attachments and then later enters into a pole attachment agreement, the Commission will consider it reasonable to apply the unauthorized attachment provisions in the agreement to the prior unauthorized attachments.[17] If the attacher refuses to sign the pole attachment agreement, the owner may seek other remedies including in state court for trespass.[18]

Sign and Sue Rule

The Commission declined to amend Rule 1.1404(d) to add as a prerequisite for a later complaint a requirement that attachers provide notice to pole owners during negotiation of an agreement that there are issues with the agreement.[19]

New Telecom Rate

The Commission established an "upper bound" and "lower bound" telecom rate under Section 224(e). [20] The revised definition of "cost" for the upper boundary price, however is dependant on whether an area is designated "urban" or "non-urban." [21] In urban areas, "cost" is defined as 66% of the "fully allocated costs" used for the pre-existing telecom rate. In non-urban areas, "cost" is defined as 44% of the "fully allocated costs" used for the pre-existing telecom rate. The new percentage-based system effectively reduces the cost of pole attachment rates.

The "lower bound" rate excludes capital costs from the definition of "cost of providing space." [22] The Commission noted that capital costs associated with make-ready are already covered by the requirement that the attacher pay for capital costs that arise as a result of the new attachment. For other capital costs associated with pole rental, the Commission found that the attacher is not the "cost causer" of those costs and should therefore not be responsible for them. The definition of "cost of providing space" includes maintenance and administrative expenses.[23]

The Commission clarified that the pole attachment rate formulas also apply to wireless.[24] The

Commission also stated that rates for telecom or cable providers that exceed the new telecom rates will not be considered "just and reasonable." [25]

Incumbent LEC Pole Attachments

Where incumbent LECs have a right of access to utility poles, they are entitled to rates, terms and conditions that are "just and reasonable" and may file a complaint with the Commission. [26] In reviewing an LEC complaint, the Commission will account for whether an LEC is in an inferior bargaining position with the utility. [27]

Reconsideration of 2010 Pole Attachment Order

In reconsidering the 2010 Pole Attachment Order, the Commission reiterated that a utility may not prohibit an attacher from using boxing, bracketing or other attachment techniques, where the utility was using the technique at the time of the attacher's request. However, a utility may choose to stop using a particular technique and accordingly refuse to allow future requesting attachers to use such a technique. [28] Moreover, where a pole is jointly owned and the owners have different standards regarding which techniques (boxing, bracketing, etc.) are used, the stricter standard may be enforced. [29] The Commission also restated that if rearrangement of facilities on the pole, whether in the electric or communications space, will permit a new attachment, there is not "insufficient capacity" pursuant to Section 224(f)(2). There is also not "insufficient capacity" if a utility can accommodate new facilities by using attachment methods that the utility itself applies. [30]